

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NOVEL ENERGY SOLUTIONS, LLC,	:	
	:	
Plaintiff,	:	
	:	20-CV-5992 (VSB)
-against-	:	
	:	<b><u>ORDER</u></b>
PINE GATE RENEWABLES, LLC. <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	
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VERNON S. BRODERICK, United States District Judge:

On December 16, 2024, Plaintiff filed a notice of voluntary dismissal as to Defendants Green Street Power Partners; GSPP Holdco, LLC; and GSPP Capital, LLC, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure. (Doc. 73.) Rule 41(a)(1)(A)(i) allows a plaintiff to “dismiss an action without a court order by filing” “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Here, no opposing party has served either an answer or a motion for summary judgment. Although a court order is not required, for the avoidance of doubt, this case is dismissed as to Defendants Green Street Power Partners; GSPP Holdco, LLC; and GSPP Capital, LLC. The Clerk of Court is respectfully directed to terminate this action against those Defendants only.

Separately, I am in receipt of Defendant Pine Gate Renewables, LLC’s motion to dismiss. (Doc. 74.) To date, I have not received Plaintiff’s brief in opposition to the motion, despite such opposition being due on or before December 30, 2024. *See* Local Civil Rule 6.1(b). If Plaintiff does not submit an opposition to the motion to dismiss by January 6, 2025, I will consider the motion unopposed, and will decide the motion without the benefit of Plaintiff’s opposition. If Plaintiff files the opposition brief on or before January 6, 2025, then Defendant’s reply brief is

due on or before January 20, 2025.

SO ORDERED.

Dated: January 3, 2025  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick", written over a horizontal line.

VERNON S. BRODERICK  
United States District Judge